IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.64316-M of 2006

DATE OF DECISION: OCTOBER 19, 2006

Daljit Kaur

...PETITIONER

*VERSUS*

State of Punjab and others

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. P.S.Jammu, Advocate,
for the petitioner.

...

The petitioner, who is the complainant, has filed this petition under Section 482 Cr.P.C. for issuing direction to the investigating agency for proper investigation of the case bearing FIR No.108 dated 20.5.2006 registered under Section 24 of the Immigration Act, 1983 and Sections 406/420 IPC at P.S. Sadar Phagwara and further to direct the investigating agency to arrest the accused.

I have heard the counsel for the petitioner.

As far as the prayer for issuing direction to arrest the accused is concerned, no such direction can be issued as has been so held by the Supreme Court in M.C.Abraham and another v. State of Maharashtra and others, (2003) 2 SCC 649. As regards the prayer for proper investigation of the case is concerned, neither any mala fide or bias has been alleged against the local police nor any reason has been given why the police is not properly investigating the matter.

In these circumstances, I do not find any ground for issuing

direction for proper investigation of the case as the police in every case is supposed to properly investigate the case.

Dismissed.

October 19, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE